

## **REMARKS**

The Office Action mailed April 18, 2008 has been received and carefully noted. Claims 1-21 and 23-32 are currently pending in the subject application and are presently under consideration.

Claims 1, 8, 15, 23-25, and 32 have been amended herein. A listing of claims can be found on pages 2-11 of this Response.

Favorable reconsideration of the pending claims is respectfully requested in view of the amendments and following comments.

### **I. Claim Rejections Under 35 U.S.C. § 103(a)**

Claims 1-21 and 23-32 are rejected under 35 U.S.C. § 103(a) as being obvious over Sano *et al.* (U.S. 2003/0068089 A1) (Sano) and Igarashi *et al.* (U.S. 6,484,195 B1) (Igarashi). The Applicant respectfully requests that these rejections be withdrawn for at least the following reason. Sano and Igarashi, alone or in combination, do not teach or suggest all the claim limitations expressly, impliedly, or obviously.

To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references.

*Ex parte Clapp*, 227 USPQ 972, 973 (Bd. Pat. App. & Inter. 1985). See M.P.E.P. § 706.02(j). In particular, independent claims 1, 8, 15, 23-25, and 32 recite similar limitations, namely: “a transmission apparatus to store and transmit compressed data of the moving image to the reproduction apparatus via a network,” where information is transmitted *via* this network. Sano and Igarashi, alone or in combination, fail to teach or suggest this aspect.

The Examiner notes that Figure 7, item 50 of Sano teaches a communication channel, item 20 teaches the reproduction apparatus, and item 40 teaches the transmission apparatus (See Office Action, pg. 3). However, as illustrated in Figure 7 of Sano, items 20 and 40 are not connected *via* item 50 and therefore do not communicate through item 50. The subject claims

have been amended to recite that a reproduction condition, compressed data stream, and the reconfigured compressed data are transmitted *via* the network.

The Applicant further notes that the subject claims recite “a reconfiguration method determination unit to determine a reconfiguration method based on the reproduction condition, a processing capacity of the reproduction apparatus and traffic in the network” and the cited references do not teach or suggest a reconfiguration method based on **all three** of the above limitations.

The Examiner does not indicate and the Applicant does not discern any part of Igarashi that cures the aforementioned deficiencies of Sano regarding the amended independent claims. Each of the dependent claims depend from one of independent claims 1, 8, 15, 23-25, and 32, thus incorporating the respective limitations thereof. For at least the above reasons relating to the independent claims, Sano and Igarashi, alone or in combination, do not teach or suggest all the claim limitations of the dependent claims. Accordingly, it is respectfully requested that these rejections be withdrawn.

### CONCLUSION

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes a telephone conference would be useful in moving the case forward, he is encouraged to contact the undersigned at (408) 720-8300.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

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#### CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this paper is being transmitted online via EFS Web to the Patent and Trademark Office, Commissioner for Patents, Post Office Box 1450, Alexandria, Virginia 22313-1450, on July 17, 2008.

Angela Quinn

7-17, 2008